

Colenn Walcott



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: AMF Mechanical Corporation

File: B-265845

Date: August 25, 1995

DECISION

AMF Mechanical Corporation protests award of a contract by the Department of Transportation under Solicitation No. DTOS59-95-B-00202.

We dismiss the protest as untimely because it challenges an alleged impropriety in the solicitation that should have been protested before bid opening.

Our Bid Protest Regulations contain strict rules requiring timely submission of protests. These rules specifically require that protests based upon alleged improprieties in a solicitation which are apparent prior to bid opening must be filed prior to bid opening. 4 C.F.R. § 21.2(a)(1); Manatts, Inc., B-237532, Feb. 16, 1990, 90-1 CPD ¶ 287.

These timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc.--Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent these rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

A handwritten signature in cursive script, reading "Paul Lieberman", is written over a horizontal line.

Paul Lieberman
Assistant General Counsel

064571/155 165